

House Bill 530

By: Representatives Geisinger of the 48th, Benfield of the 85th, Wilkinson of the 52nd, and Chambers of the 81st

A BILL TO BE ENTITLED
AN ACT

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, and Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to regulate medium-speed vehicles; to provide for definitions; to change certain provisions relating to the requirement of compliance with federal safety standards; to provide special provisions for medium-speed vehicles; to provide equipment requirements for medium-speed vehicles; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by revising paragraph (2) of Code Section 33-34-2, relating to definitions regarding motor vehicle accident reparations, as follows:

"(2) 'Motor vehicle' means a vehicle having more than three load-bearing wheels of a kind required to be registered under the laws of this state relating to motor vehicles designed primarily for operation upon the public streets, roads, and highways and driven by power other than muscular power. The term includes a trailer drawn by or attached to such a vehicle and also includes without limitation a low-speed vehicle and a medium-speed vehicle."

SECTION 2.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended by adding a new paragraph to Code Section 40-1-1, relating to definitions regarding motor vehicles, to read as follows:

"(26.1) 'Medium-speed vehicle' means any four-wheeled vehicle, equipped with a roll cage or crush-proof body design, with top speed attainable in one mile is greater than 30 miles per hour but not greater than 35 miles per hour on a paved level surface, is fully enclosed

and has at least one door for entry, has a wheel base of 40 inches or greater and a wheel diameter of 10 inches or greater, and, except with respect to maximum speed, otherwise is manufactured in compliance with those federal motor vehicle safety standards set forth in 49 C.F.R. Section 571.500 in effect on January 1, 2009, and successor requirements."

SECTION 3.

Said title is further amended by revising paragraph (41) of Code Section 40-1-1, relating to definitions regarding motor vehicles, as follows:

"(41) 'Passenger car' means every motor vehicle, except motorcycles, motor driven cycles, ~~and~~ low-speed vehicles, and medium-speed vehicles designed for carrying ten passengers or less and used for the transportation of persons."

SECTION 4.

Said title is further amended by revising subsection (b) of Code Section 40-2-31, relating to five-year and annual license plates, as follows:

"(b) Such license plates shall be of metal at least six inches wide and not less than 12 inches in length, except motorcycle license plates which shall be at least four inches wide and not less than seven inches in length, and shall show in bold characters the month and year of expiration, the serial number, and either the full name or the abbreviation of the name of the state, shall designate the county from which the license plate was issued, and shall show such other distinctive markings as in the judgment of the commissioner may be deemed advisable, so as to indicate the class of weight of the vehicle for which the license plate was issued; and any license plate for a low-speed vehicle or medium-speed vehicle shall designate the vehicle as such. Such plates may also bear such figures, characters, letters, or combinations thereof as in the judgment of the commissioner will to the best advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' The metal shall be of such strength and quality that the plate shall provide a minimum service period of at least five years. The commissioner shall adopt rules and regulations, pursuant to the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and issuance of new metal license plates and to implement the other provisions of this Code section."

SECTION 5.

Said title is further amended by revising paragraph (2) of subsection (a) of Code Section 40-2-33, relating to issuance of license plates, as follows:

"(2) The commissioner may provide for the issuance of a temporary license plate for any ~~low-speed~~ medium-speed vehicle, to be displayed until such time as a license plate of the

design required by Code Section 40-2-31 has been issued to the registrant as a replacement for such temporary license plate; provided, however, that any such temporary license plate shall designate the ~~low-speed~~ medium-speed vehicle as such; and provided, further, that the commissioner shall make available for issuance ~~low-speed~~ medium-speed vehicle license plates of the design required by Code Section 40-2-31 not later than September 1, ~~2002~~ 2009."

SECTION 6.

Said title is further amended by adding a new part to Article 13 of Chapter 6, relating to special provisions for certain vehicles, to read as follows:

"Part 6

40-6-365.

Every person operating a medium-speed vehicle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other vehicle under this chapter except as to special regulations in this part and except as to those provisions of this chapter which by their nature can have no application.

40-6-366.

(a) All medium-speed vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any medium-speed vehicle of the full use of a lane.

(b) The operator of a medium-speed vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(c) No person shall operate a medium-speed vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

(d) Medium-speed vehicles shall not be operated two or more abreast in a single lane.

40-6-367.

Medium-speed vehicles shall be operated only on any highway where the posted speed limit does not exceed 35 miles per hour. The operator of a medium-speed vehicle shall not operate such vehicle on any highway where the posted speed limit exceeds 35 miles per hour."

89 **SECTION 7.**

90 This Act shall become effective upon its approval by the Governor or upon its becoming law
91 without such approval.

92 **SECTION 8.**

93 All laws and parts of laws in conflict with this Act are repealed.